



DAC #4  
PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Mail Stop Petitions, P.O. Box 1450, Alexandria, VA 22313-1450.

9 May 2003  
Date

Phoebe E. Pogson  
Phoebe E. Pogson

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants	: Daniel B. Penny and Steven So	Attorney Docket No.:	500794.01
Serial No.	: 09/836,593	Group Art Unit	: 2185
Filed	: April 16, 2001	Examiner	: not yet assigned
Title	: BURST COUNTER CONTROLLER AND METHOD IN A MEMORY DEVICE OPERABLE IN A 2-BIT PREFETCH MODE		

PETITION TO REVIVE UNDER 37 C.F.R. § 1.137(b)

Mail Stop Petitions  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please revive the above-identified application, which was erroneously abandoned by the U.S. Patent and Trademark Office for alleged failure to respond to the Notice to File Corrected Application Papers dated June 21, 2001. Attached is a copy of the response which was timely filed on August 10, 2001, and a Declaration of Edward W. Bulchis in support of this petition.

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**OFFICE OF PETITIONS**

Applicants believe that since fault for the erroneous abandonment lies with the U.S. Patent and Trademark Office, no fee is due. Should a fee be required, the Commissioner is authorized to charge said fee to Deposit Account No. 50-1266

Respectfully submitted,

DORSEY & WHITNEY LLP



Edward W. Bulchis  
Registration No. 26,847

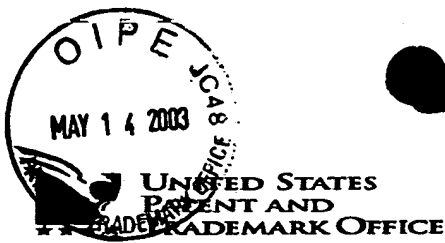
EWB:pep

Enclosures:

- Postcard
- Copy of this Petition
- Copy of Notice of Abandonment
- Declaration in Support of Petition
- Copy of Previously-filed Response (Exhibit 1)

1420 Fifth Avenue, Suite 3400  
Seattle, WA 98101  
Tel: (206) 903-8800  
Fax: (206) 903-8820

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Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/836,593	04/16/2001	Daniel B. Penney	500794.01

CONFIRMATION NO. 7865

**ABANDONMENT/TERMINATION  
LETTER**



\*OC000000009921743\*

27076  
DORSEY & WHITNEY LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
SUITE 3400  
1420 FIFTH AVENUE  
SEATTLE, WA 98101

Date Mailed: 04/28/2003

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 06/21/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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**OFFICE OF PETITIONS**



# FEE TRANSMITTAL SHEET (FOR FY 2001)

Complete if Known

Application No.	09/836,593
Filing Date	April 16, 2001
First Named Inventor	Daniel B. Penney et al.
Group Art Unit	2185
Examiner	Not yet assigned
Atty. Docket Number	500794.01

## METHOD OF PAYMENT (Check One)

1. ☒ The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No.: 50-1266; Deposit Account Name: DORSEY & WHITNEY LLP

2. ☐ Check Enclosed

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
101	710	201	355	<input type="checkbox"/> Utility Filing Fee
106	320	206	160	<input type="checkbox"/> Design Filing Fee
108	710	208	355	<input type="checkbox"/> Reissue Filing Fee
114	150	214	75	<input type="checkbox"/> Provisional Filing Fee
Subtotal (1)			\$0	

### 2. EXTRA CLAIM FEES

Current Claims	Prior	Extra	Fee	Fee Paid
Total	33	- 33	= 0 x \$ 18	= \$ 0
Ind.	13	- 13	= 0 x \$ 80	= \$ 0
Multiple Dependent Claims			x \$	= \$
Subtotal (2)			\$0	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent Claim
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

## FEE CALCULATION (Continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - Late filing fee or oath	\$
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$
139	130	139	130	Non-English specification	\$
147	2,520	147	2,520	For Filing a Request for Reexamination	\$
115	110	215	55	Extension for reply within first month	\$
116	390	216	195	Extension for reply within 2 <sup>nd</sup> month	\$
117	890	217	445	Extension for reply within 3 <sup>rd</sup> month	\$
118	1,390	218	695	Extension for reply within 4 <sup>th</sup> month	\$
128	1,890	280	945	Extension for reply within 5 <sup>th</sup> month	\$
120	310	220	155	Filing a brief in support of an appeal	\$
121	260	270	135	Request for oral hearing	\$
148	110	248	55	Terminal Disclaimer Fee	\$
140	10	240	55	Petition to revive - unavoidable	\$
141	1,240	241	620	Petition to revive - unintentional	\$
142	1,240	242	620	Utility/Reissue issue fee (+ advance copies)	\$
143	440	243	220	Design issue fee (+ advance copies)	\$
122	130	122	130	Petitions to the Commissioner	\$
123	50	123	50	Petitions related to provisional applications	\$
126	180	126	180	Submission of IDS	\$
581	40	81	40	Recording each patent assignment per property (times number of properties)	\$
179	710	279	355	Request for Continued Examination (RCE)	\$
Other fee (specify)					\$
Subtotal (3)					\$0

Total Amount of Payment: \$0

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Submitted by:

Name: Edward W. Bulchis

Reg. No.: 26,847

Telephone: (206) 903-8800

Signature: *Edward W. Bulchis*

Date: *August 10, 2001*



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/836,593	04/16/2001	Daniel B. Penney	500794.01

CONFIRMATION NO. 7865

## FORMALITIES LETTER



\*OC00000006208107\*

Edward W. Bulchis, Esq.  
DORSEY & WHITNEY LLP  
Suite 3400  
1420 Fifth Avenue  
Seattle, WA 98101

Date Mailed: 06/21/2001

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
  - Specification, claims, or abstract pages are not typewritten or mechanically printed in permanent dark ink on one side (See 37 CFR 1.52(a) and (b)).

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE